IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FIFTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

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WRIT PETITION NO : 2562 of 2001

Between:

1. Sri Lakshmi Kirana Jaggery & General Merchants,

H.No.2-81, Pokalagudem, Chandragunda (M) Kothagudem,

through its Proprietor, Chinnam Bhaskar Rao.
2. Naveen Jaggery & General Merchants H.No.6-6-26,
Kothagudem, Khammam Dist rep.by its Proprietor,
T.Manikchand.
3. Prasad Kirana & General Merchants H.NO.17-86,

Main Road, Ramavaram, Kothagudem, Khammam Dist.,

rep.by its Proprietor, P.Prasad.
4 Sarika Kirana Jaggery and Alam Merchants,

Bommanapalli (V), Tekulapalli (M)
Yellandu, Khammam District.

rep.by its Proprietor, K.Butchaiah.

..... PETITIONERS

AND

1. The Dy.Commissioner of Prohibition & Excise,

Warangal Range at Warangal.
2 The Prohibition & Excise Superintendent,

Khammam Dist at Khammam.

3 The Sub-Divisional Prohibition & Excise Officer,

Kothagudem, Khammam District.
4 The Prohibition & Excise Inspector Station at Kothagudem,
Khammam District.
5 The Superintendent of Police,

Khammam District.
6 The Sub-Divisional Police Officer,

Kothagudem, Khammam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of mandamus or any other appropriate writ or writs, order or direction, declaring the action of the respondents in interfering with the business of the petitioners in Jaggery and Alum, as ex facie illegal, arbitrary, without jurisdiction and violative of fundamental rights guaranteed under Art.19(1)(g) of the Constitution of India and to consequently direct the respondents not to interfere with the petitioners business in Jaggery and Alum by further setting aside the proceedings Dt.24/01/2001 in Cr.No.40/2000/P&E/KGM on the file of the fourth respondent award costs.

Counsel for the Petitioner: Mr.K.RAGHUVEER REDDY

Counsel for the Respondents: GP FOR PROHIBITION & EXCISE

The Court made the following :

ORDER:

Heard both sides.

It is submitted by the learned counsel for the petitioners that the question involved in the present writ petition is squarely covered by the decision of the Full Bench in **GANESH TRADERS (KIRANA AND GENERAL MERCHANTS) DHERMAPURI, KARIMNAGAR DISTRICT v. DISTRICT COLLECTOR, KARIMNAGAR AND OTHERS** .

Having regard to the above said judgment of the Full Bench of this Court, this writ petition is accordingly dismissed. No costs.

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(B.PRAKASH RAO,J)

5th August, 2004.

Tsy/mrr

To

1. The Deputy Commissioner of Prohibition & Excise,

Warangal Range at Warangal.
2. The Prohibition & Excise Superintendent,

Khammam Dist at Khammam.
3. The Sub-Divisional Prohibition & Excise Officer,

Kothagudem, Khammam District.
4. The Prohibition & Excise Inspector,

Station at Kothagudem,
Khammam District.
5. The Superintendent of Police,

Khammam District.
6. The Sub-Divisional Police Officer,

Kothagudem, Khammam District.

7. Two CCs to the GP for Prohibition & Excise,

High Court Buildings, Hyderabad (O.U.T.).

8. Two CD Copies.